

Application ref: 2019/6155/P
Contact: Thomas Sild
Tel: 020 7974 3686
Date: 15 June 2020

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

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Studio Carver
37 Alfred Place
London
WC1E 7DP

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
99 Fellows Road
London
NW3 3JS

Proposal: Alteration to front and rear fenestration; addition of rooftop box structure; reconfiguration of rooftop skylights; installation of 2 air conditioning units to rooftop.

Drawing Nos: 1805_PL_010, 1805_PL_100 Rev A, 1805_PL_200 Rev A, 1805_PL_EX_100, 1805_PL_300 Rev A, 1805_PL_EX_300, 1805_PL_EX_200, 1805_PL_EX_020, 1805_PL_020, Noise Impact Assessment (Nova Acoustics 20/05/2020).

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 1805_PL_010, 1805_PL_100 Rev A, 1805_PL_200 Rev A, 1805_PL_EX_100, 1805_PL_300 Rev A, 1805_PL_EX_300, 1805_PL_EX_200, 1805_PL_EX_020, 1805_PL_020, Noise Impact Assessment (Nova Acoustics 20/05/2020).

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 5 Before the use commences, the air-conditioning plant shall be provided with an acoustic enclosure and anti-vibration measures in accordance with the submitted noise impact assessment (Nova Acoustics 20/05/2020). All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

Planning permission is sought for the erection of a store enclosure on the flat roof of the existing property and two air conditioning units. The proposed store would be 3.7m long, 1.8m wide and 1m above parapet height to match the roof addition approved recently at no. 101.

The overall size and height of the proposed roof store enclosure is considered to represent an unobtrusive addition that would not cause harm to the original character and proportions of the existing three storey dwelling.

The proposed extension would be set back from the front elevation of the property by approximately 3.4m, which would ensure it remains largely unseen from the public realm along Fellows Road. Furthermore, no. 101 and the majority of properties to the east of the site and to the south on Huson Close, have similar sized roof structures and are considered to be an established form of development in the area. Therefore, the proposed roof store is not considered to cause harm to the character and appearance of the surrounding area given the prevalence of similar structures to neighbouring properties. The proposed replacement of the garage door with a window and replacement of the remaining windows with aluminium frames would be appropriate to the building's style and character and would not result in undue harm to its appearance.

Proposals for air conditioning must demonstrate that relevant points in the cooling hierarchy have been duly considered. All windows in the house are openable and provide passive ventilation. The applicant is improving the thermal performance of the building through the installation of additional insulation and solar controlled glazing. Given this is an existing house the scope for other heat mitigation measures is limited and on balance the proposal is acceptable.

The proposed air conditioning units would sit alongside the rooftop stop within an acoustic enclosure and have low visibility to the surroundings. The applicant has submitted a noise report that demonstrates that the unit will comply with the limits of the Local Plan subject to mitigation measures. These recommendations have been secured by condition.

The size and location of the proposed roof store and plant enclosure is not considered to cause harm to neighbouring amenity in terms of loss of light or outlook, and no harm would be caused in terms of increased overlooking.

One letter of support was received following statutory consultation. The Belsize Society made a representation and requested that the application not be granted permission without the dimensions of the roof box being clearly stated. The scaled application drawings clearly demonstrate the size and location of the box as described above, and as such the development is precisely described within the application in accordance with all local and statutory requirements. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposal is in general accordance with policies CC2, A1, A4 and D1 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2016 and National Planning Policy Framework 2019.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 4 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name.

Daniel Pope
Chief Planning Officer